

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting Minutes  
July 9, 2020

Call to Order: **9:06 a.m.**

Closed Session: none

Opening Ceremony: Emily Proctor

Council Present: Councilor Fred Harrington, Jr., Councilor Fred Kiogima, Councilor Tamara Kiogima, Councilor Melissa Pamp, Councilor Leroy Shomin, Councilor Marty Van De Car, Treasurer Marcella Reyes, Secretary Julie Shananaquet, Legislative Leader Emily Proctor

Absent: Secretary Julie Shananaquet

Legislative Office Staff Present: Legislative Office Manager Michele Portman-LaCount, Legislative Services Attorney Donna L. Budnick, Sr Financial Analyst Rachel Cope, General Counsel James Bransky

Executive Officials and Staff Present: Tribal Chair Regina Gasco-Bentley, Executive Director Unit I Phil Harmon, Chief Financial Officer Carrie Carlson, Safety Coordinator Sue Gasco, Human Resources Director Denise Petoskey, Executive Director Unit II Daugherty Johnson, Planning Director Amanda Swiss

Judicial Officials and Staff: none

Public: Denise Steffel, Will Ortiz, Melissa Shomin, Bernadece Boda, Rachael Keopp, Kenny Dewey, Lily Anderson, Marvin Mulholland, Christine Shomin, Deb Smithkey Browne, Matt Davis, Mary Roberts, Ricky Compo

Invited Guest: Gaming Authority Matt Stemkoski, Odawa Casino Resort General Manager Ron Olson and Finance Director Roger Borton, Human Resources Director Andrea Shananaquet; Tribal Burial Board Gwen Teuthorn, and Ken Gill; Odawa Economic Affairs Holding Corporation Chair Greg Karlis

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**9:11 a.m.** Secretary Julie Shananaquet arrived.

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Melissa Pamp to Adopt the Agenda of July 9, 2020.

Vote: 9-Yes, 0-No, 0 -Abstain, 0-Absent

Motion carried.

**Odawa Economic Affairs Holding Corporation, Inc.**

*Due to time constraints OEAHC was moved up on the agenda.*

- New Administrative Assistant
- Successful opening day of Lume
- Applications for position on Board
- Audit Response – Tentative date of Audit completion scheduled for 07/17/20.

**Motion** made by Councilor Fred Harrington Jr. and supported by Councilor Fred Kiogima to acknowledge Odawa Economic Affairs Holding Corporation (OEAHHC) updates as presented by Greg Karlis, Board Chairman on July 09, 2020.

Vote: 9-Yes, 0-No, 0-Abstain, 0-Absent

Motion carried.

**Motion** made by Councilor Tamara Kiogima and supported by Councilor Melissa Pamp to approve the minutes of June 25, 2020 as corrected.

Vote: 9-Yes, 0-No, 0-Abstain, 0-Absent

Motion carried.

**9:40 a.m.** Gaming Authority Odawa Casino May 2020 - Update for the Enterprise dated July 9, 2020.

**Motion** made by Secretary Julie Shananaquet and supported by Treasurer Marcella Reyes to acknowledge receipt of the Odawa Casino May 2020 Update for the Enterprise dated July 9, 2020.

Vote: 8-Yes, 0-No, 1-Abstain (Councilor Martin Van De Car), 0-Absent

Motion carried.

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Tamara Kiogima to adopt Tribal Resolution Authorizing Loan from PNC Bank, National Association, and related Documents, Authorizing Tribal Appropriations for Payments of the Loan, Adopting Law Governing the Arbitration of Disputes related to the Loan, Adopting Law Regarding Security Interests and Addressing Related Matters and authorize Tribal Chair and Treasurer to sign the loan documents upon final legal review by General Counsel Bransky.

**Roll Call Vote:** Councilor Fred Harrington Jr-yes, Councilor Fred Kiogima-yes, Councilor Tamara Kiogima-yes, Councilor Melissa Pamp-yes, Councilor Leroy Shomin- yes, Councilor Marty Van De Car-abstain, Treasurer Marcella Reyes-yes, Secretary Julie Shananaquet-yes, Legislative Leader Emily Proctor- yes

Vote: 8-Yes, 0-No, 1-Abstain, 0-Absent

Motion carried.

**10:31 a.m.** Break

**10:41 a.m.** Resume

### **Executive Oversight Report**

#### **Tribal Chair Regina Gasco-Bentley**

Update: Line 5 break, Biden Campaign Call-Improved Gov't to Gov't relations with President and task force for Murdered and Missing Indigenous Women. Education and Elder budget shortages. COVID-19 Phase II safety updates. Native Way refurbish completed. Facilities working on placing new virus prevention chips in ducts. Medicare reimbursement program moving forward as quickly as possible.

Questions raised by Tribal Council:

Councilor Fred Kiogima -Per cap Letter update –Response: posted to Facebook and letters will be mailed.

Councilor Marty Van De Car-Direct Deposit for Elders.

**Motion** made by Councilor Melissa Pamp and supported by Councilor Tamara Kiogima to acknowledge the verbal and written June 2020 Executive Oversight Report as presented by Tribal Chairperson Regina Gasco-Bentley, Unit 1 Director-Phil Harmon and Unit 2 Director-Daugherty Johnson on July 9, 2020.

Vote: 9-Yes, 0-No, 0-Abstain, 0 -Absent

Motion carried.

## **Tribal Council Officer Reports**

### Legislative Leader Report

*-CARES Resolution discussion for sending to the Appropriation's and Finance Committee*

*- Next Townhall, provide conversation regarding how to engage civically in government.*

*-Letter to Odawa Economic Affairs Holding Company*

*-Written report included.*

**Motion** made by Councilor Tamara Kiogima and supported by Councilor Melissa Pamp to accept Legislative Leader Proctor's verbal and written report for July 9, 2020.

Vote: 9-Yes, 0-No, 0-Abstain, 0-Absent

Motion carried.

### Secretary Report

-Documents Delivered to the Executive-none

-Vetoes -none

-Phone Polls passed by Tribal council: none

*FYI-Fielded several questions regarding Medicare reimbursements and COVID-19 disbursements.*

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Fred Kiogima to accept Secretary Shananaquet's verbal and written report as provided on the agenda for July 9, 2020.

Vote: 9-Yes, 0-No, 0-Abstain, 0-Absent

Motion carried.

### Treasurer Report

#### **Appropriations and Finance Committee**

-Last Meeting: June 16, 2020 and all motions were addressed at the June 25, 2020 Tribal Council Meeting.

-Next Meeting: Tuesday July 14, 2020 at 9:00 a.m. on Zoom

-Phone Polls: none

**Motion** made by Councilor Fred Kiogima and supported by Councilor Melissa Pamp to accept the Appropriations and Finance Committee verbal and written report as provided on the agenda by Treasurer Reyes, Committee Chair for July 9, 2020.

Vote: 9-Yes, 0-No, 0-Abstain, 0-Absent

Motion carried.

## **Land and Reservation Committee**

-Last Meeting: June 5, 2020 and all motions were addressed at the June 25, 2020 Tribal Council Meeting.  
-Next Meeting: July 17, 2020 at 9:00 a.m. on Zoom  
-Phone Polls-none

**Motion** made by Councilor Leroy Shomin and supported by Councilor Fred Kiogima to accept the Land and Reservation Committee verbal report as provided on the agenda by Treasurer Reyes, Committee Chair for July 9, 2020.

Vote: 9-Yes, 0 -No, 0 -Abstain, 0 -Absent

Motion carried.

### **Tribal Council Member Reports - none**

### **Legislative Office Reports:**

Office of Finance and Revenue-Sr Financial Analyst Rachel Cope

Corporate Charters and/or Board Updates

Odawa Economic Development Management, Inc.

Traditional Tribal Burial Board, Inc.

Ziibimijwang, Inc.

Odawa Economic Affairs Holding Corp

Odawa Construction

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Melissa Pamp to accept Sr Financial Analyst Rachel Cope's verbal and written report for July 9, 2020.

Vote: 9-Yes, 0-No, 0 -Abstain, 0-Absent,

Motion carried.

### **11:44 a.m. Public Comment Opens**

- Melissa Shomin – Thanks for Zoom meetings. Withdraw from Holding Company Board, would like to be reconsidered for interview.
- Bernadece Boda – Public and Employee Safety. Reporting to Council and professional etiquette. CARES funding. Lume on social media and contractual obligations. Are jobs posted anywhere for charters/boards.
- Marvin Mulholland - Thank you to accounting for hard work. Electronic signatures needed to improve election system.

### **11:52 Public Comment Closes**

Tribal Historic Preservation Officer-no report

Legislative Services Attorney

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Fred Harrington Jr. to acknowledge receipt of Legislative Services Attorney Donna Budnick's verbal and written report for July 9, 2020.

Vote: 9-Yes, 0-No, 0-Abstain, 0-Absent

Motion carried.

General Counsel

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Leroy Shomin to adopt Tribal Resolution Authorizing Limited Waivers of Sovereign Immunity and the

Right to Exclude and Addressing Other Matters Required to Obtain and Maintain an Internet Gaming Operator's License from the Michigan Gaming Control Board.

**Roll Call Vote:** Councilor Fred Harrington Jr.-yes, Councilor Fred Kiogima-yes Councilor Tamara Kiogima-yes, Councilor Melissa Pamp-yes, Councilor Leroy Shomin-yes, Councilor Marty Van De Car-abstain, Treasurer Marcella Reyes-yes, Secretary Julie Shananaquet-yes, Legislative Leader Emily Proctor- yes

Vote: 8-Yes, 0-No, 1-Abstain (Councilor Martin Van De Car), 0-Absent

Motion carried.

**Motion** made by Councilor Melissa Pamp and supported by Councilor Fred Kiogima to accept General Counsel Jim Bransky's verbal report for July 9, 2020.

Vote: 9-Yes, 0-No, 0-Abstain, 0-Absent

Motion carried.

#### Legislative Office Manager

**Motion** made by Councilor Tamara Kiogima and supported by Councilor Leroy Shomin to accept Legislative Office Manager Michele Portman-LaCount's verbal and written report as presented on July 9, 2020.

Vote: 9-Yes, 0-No, 0-Abstain, 0-Absent

Motion carried.

#### **Tribal Council Action Items**

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Marty Van De Car to accept the Executive nomination of Kevin Hesselink for Tribal Prosecutor and set up an interview.

Vote: 8-Yes, 1-No (Councilor Fred Harrington Jr.), 0-Abstain, 0-Absent

Motion carried.

**Motion** made by Councilor Tamara Kiogima and supported by Councilor Fred Kiogima to acknowledge receipt of the Tribal Burial Board's 2020 2<sup>nd</sup> Quarter Report.

Vote: 9 -Yes, 0 -No, 0-Abstain, 0-Absent

Motion carried.

**Motion** made by Councilor Tamara Kiogima and supported by Councilor Melissa Pamp to post Amendment to Waganakising Odawak Statute 2015-019 Administrative Procedures Act to the Legislative Calendar in the Odawa Register sponsored by Legislative Leader Emily Proctor.

Vote: 9-Yes, 0 -No, 0-Abstain, 0-Absent

Motion carried.

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Melissa Pamp to amend agenda to include appointments to Boards and Commissions.

Vote: 9-Yes, 0 -No, 0-Abstain, 0-Absent

Motion carried.

**Motion** made by Councilor Tamara Kiogima and supported by Councilor Fred Kiogima to assign Melissa Wiatrolik to the Tribal Burial Board for a three-year term and amend the Charter to reflect the assignment.

Vote: 9-Yes, 0 -No, 0-Abstain, 0-Absent

Motion carried.

Motion made by Councilor Melissa Pamp and supported by Councilor Marty Van De Car to appoint Angie Wooden to Housing Commission for a three-year term, expiring in 2023.

Vote: 9-Yes, 0 -No, 0-Abstain, 0-Absent

Motion carried.

**12:47 p.m. Adjournment**

**Motion** made by Councilor Tamara Kiogima and supported by Councilor Marty Van De Car to adjourn.

Vote: 9-Yes, 0-No, 0-Abstain, 0-Absent

Motion carried.

These Minutes have been read and are approved as presented.



Secretary Julie Shananaquet

07/23/20

Date